



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION I

J.F. KENNEDY FEDERAL BUILDING, BOSTON, MASSACHUSETTS 02203

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March 23, 1981

Mr. Herbert M. Luz  
Vice President, Mfg.  
Organic Chemicals Division  
W. R. Grace & Co.  
55 Hayden Avenue  
Lexington, Massachusetts 02173

Re: "Proposed Plan of Study - Sampling  
and Analysis Program," Submitted  
Pursuant to Subparagraph XI(A) of  
the Final Decree in United States  
of America v. W. R. Grace & Co.

Dear Mr. Luz:

Please be informed that EPA Region I has completed its review of the documents submitted to me by W. R. Grace & Co. pursuant to subparagraph XI(A) of the decree referenced above. This document dated September 26, 1980 is entitled "Proposed Plan of Study - Sampling and Analysis Program for W. R. Grace & Company," and was submitted to me on October 29, 1980.

As you were informed orally by Michael J. Farise of my staff at our meeting on December 1, 1980, the proposed sampling and analysis program is not approvable by EPA Region I because it does not fully comply with the requirements of subparagraph XI(A) of the Final Decree. At that meeting, we informed you in a general manner that the proposed sampling and analysis program was not approvable because (1) the program does not address all the areas at the W. R. Grace Acton facility required by subparagraph XI(A) of the Final Decree, and (2) the program does not set forth in sufficient detail the actual methods and procedures that will be employed in the investigation of each of these areas. Therefore, in accordance with paragraph XIII of the Final Decree, this letter constitutes my formal notice of disapproval of the proposed sampling and analysis program and my request that you submit a revised program within 30 days. The reasons for my disapproval and my requests for revisions to the proposed program are set forth in detail below.

First, the proposed sampling and analysis program does not address all of the areas at the W. R. Grace Acton facility required to be addressed as set forth in subparagraph XI(A) of the Final Decree.

Subparagraph XI(A) states as follows:

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A. Phase-One. Upon entry of this decree, W. R. Grace shall submit for the approval of the federal government parties a plan for a sampling and analysis program to determine the nature and extent of contamination by hazardous waste on, in, beneath, and immediately surrounding the landfill, all lagoons and all other waste disposal sites identified in the information submitted as described in paragraph X hereof. The plan shall be supplemented as necessary to include the results of the verified reports required by said paragraph X as supplemented or revised. This program shall include, but not be limited to, the following:

1. Sampling and analysis of liquids, sludges, sediment layers and underlying soil for all lagoons at the W. R. Grace Acton facility;
2. Sampling and analysis of waste that has been deposited on or in the area known as the W. R. Grace landfill and underlying soil, including an inventory of such waste developed from company records, from site investigation, including test pits and borings, and from sampling of the contents of drums and other containers found on or in the landfill;
3. Sampling and analysis of all other possible sources of contamination by hazardous waste at the W. R. Grace Acton facility identified in the information described in paragraph X hereof;
4. A critical path time schedule for implementation of the sampling and analysis set forth in subparagraphs 1, 2 and 3 of this paragraph XI A.

In order to meet the requirements of subparagraph XI(A), the proposed sampling and analysis program must specifically state that the following areas at the W. R. Grace Acton facility will be investigated:

1. Primary lagoon;
2. Emergency lagoon;
3. Secondary lagoon;



4. North lagoon;
5. The three interconnected lagoons immediately to the north of the Cellulose buildings;
6. The lagoon west of the Boiler Room and south of the B & M railroad tracks;
7. The industrial landfill;
8. The tank car washing area east of the Boiler Room, as identified on page 2 of the November 12, 1980 report submitted to EPA Region I by W. R. Grace & Co. pursuant to paragraph X of the Final Decree;
9. The blow down pit to the east of the Reactor Building, including the area where scrapings were buried in early 1980, as identified on pages 2 and 3 of the November 12, 1980 report referenced above;
10. The coag-pit located to the southeast of the Reactor Building, as identified on page 3 of the November 12, 1980 report referenced above;
11. The field immediately to the north of the Cellulose buildings where 48,000 cubic yards of trim scrap are stored, as identified on page 6 of the November 12, 1980 report referenced above; and
12. The leaching field beside the DARAMIC plant as identified in the November 12, 1980 report referenced above.

Second, the proposed sampling and analysis program does not set forth in sufficient detail the actual methods and procedures that will be employed in the investigation of each of the areas I have listed above. I wish to point out that the areas of investigation numbered 1, 2, 3, and 4 on pages 2 and 3 of your proposed program are acceptable as a general approach. Furthermore, the investigations described at pages 9 through 12 of your proposed program, under the headings "Lagoon Sludge and Landfill Volume Determination" and "Lagoon Sludges and Landfill Waste Characteristics," are also acceptable as a general approach. Nevertheless, the details of these investigations are not firmly set out in your proposed program. While I recognize that flexibility may be necessary in order for the kind of program mandated by subparagraph XI(A) to be performed effectively, I believe that a great number of details can, and should, be firmly established prior to the implementation of the program. By firmly establishing as many details as possible at the outset, W. R. Grace & Co. and EPA Region I should be able to avoid any disagreements or misunderstandings regarding the work actually performed and the final results achieved. This in turn will benefit all interested parties, since it hopefully will eliminate delays that could otherwise develop in the performance of the sampling and analysis program.

I am therefore requesting that your staff and consultants meet with EPA environmental scientist James D. Okun and EPA attorney Michael J. Parise within the next 30 days to discuss the specific methods and procedures that will be employed in the sampling and analysis program. The specific methods and procedures that will be employed in the sampling and analysis program must be set out in the revised program required to be submitted within 30 days of this notice of disapproval.

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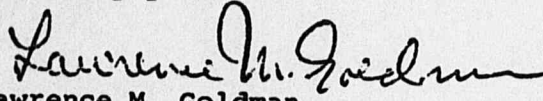
The aspects of the proposed program that should be discussed in detail include the following:

1. The depth to which soil sampling will be done, and the depth at which groundwater sampling instruments will be installed, beneath and in the immediate vicinity of each waste or spill site;
2. The analytical procedures that will be followed to determine "a full chemical spectrum analysis," as your program proposes on page 3 for sludges, liquid wastes and other solid wastes;
3. Sample handling procedures that will be followed, as your program proposes on page 11; and
4. Quality control and assurance procedures, including how duplicate samples will be provided to EPA Region I if requested pursuant to subparagraph VII(B) of the Final Decree.

Your staff and consultants may contact James D. Okun at 223-2007 or Michael J. Parise at 223-5470 to arrange to meet to discuss these matters. A meeting of this kind was conducted on December 15, 1980 at the offices of Goldberg, Zoino & Associates, and was considered by my staff to be a very productive beginning to establishing the details of your proposed sampling and analysis program.

Please note that this letter is not responding to the aspects of your proposal that concern monitoring well installations in "outlying" areas of the aquifer, as set forth at pages 7 through 9 of your proposed program under the headings "Well Installations" and "Water Quality Sampling." As James Okun informed Robert Weimar of Camp, Dresser & McKee on March 10, 1981, Region I will be responding to these aspects of your proposal in our response to the "Aquifer Restoration Program" dated December 15, 1980 submitted to me pursuant to subparagraph XII(A) of the Final Decree.

Sincerely yours,

  
Lawrence M. Goldman  
Acting Director  
Enforcement Division

cc: Donald K. Slade ✓  
Allan R. Campbell, Esq.  
Robert A. Weimar  
Stephen D. Anderson, Esq.  
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